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09/208,696

12/10/1998

YASUYUKI SEKINE

RM.HPK

8464

23548 7590 12/02/2011

LEYDIG VOIT & MAYER, LTD  
700 THIRTEENTH ST. NW  
SUITE 300  
WASHINGTON, DC 20005-3960

EXAMINER

COLLINS, DOLORES R

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* YASUYUKI SEKINE

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Appeal 2010-001219  
Application 09/208,696  
Technology Center 3700

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*Before:* ANTON W. FETTING, BIBHU R. MOHANTY, and  
MICHAEL W. KIM, *Administrative Patent Judges.*

KIM, *Administrative Patent Judge.*

DECISION ON APPEAL

## STATEMENT OF THE CASE

This is an appeal from the final rejection of claims 17-32. We have jurisdiction to review the case under 35 U.S.C. §§ 134 and 6 (2002).

The claimed invention is directed to displays used in gaming machines such as pachinko gaming machines or slot machines having mechanical displays, such as rotation reels with associated indication portions that provide indication of symbols including various figures, designs, letters, or the like, or having electric displays, such as liquid crystal displays, CRTs, plasma displays, or electro-luminescent elements, and additionally relates to gaming machines, such as ball-shooting gaming machines, slot machines, or TV game machines (Spec. 1:4-9). Claim 17, reproduced below, is further illustrative of the claimed subject matter.

17. A display for a game comprising:
  - a plurality of independently rotatable reels, rotatable about a common axis;
  - a respective reel sheet attached peripherally to each of the reels, each reel sheet including a plurality of symbols sequentially arranged, for viewing by a player upon stopping of rotation of the corresponding reel, wherein each of the reel sheets includes one symbol appearing serially, at least two times, without any intervening different symbol, and each symbol of the plurality of symbols appears on each of the reel sheets; and
  - a display window for viewing symbols on the reels along each of at least two straight lines when the reels are stopped, wherein alignments on at least one of the lines of any of specific combinations of the symbols provide a winning state for the player and all other combinations of the symbols on the straight lines do not provide a winning state for the player.

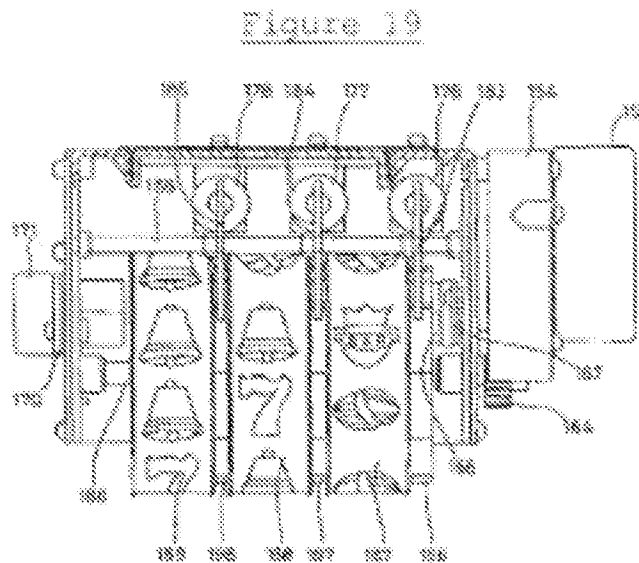
Claims 17-32 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Ugawa (JP 05068733, pub. Mar. 23, 1993).

We REVERSE.

## FINDINGS OF FACT

*Ugawa*

FF1. Figure 19 is illustrated below.



FF2. As illustrated above, Figure 19 is an upper plane view diagram of drum-shaped variable display component 151 drawn by omitting storage box 152 (para. [0050]).

FF3. Figures 20 and 21 are illustrated below.

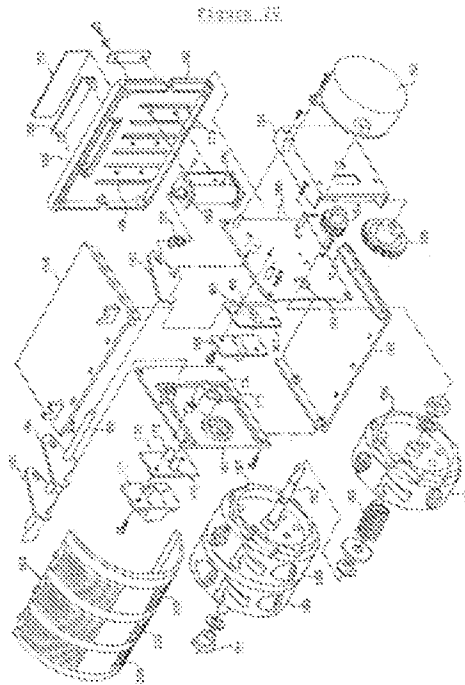
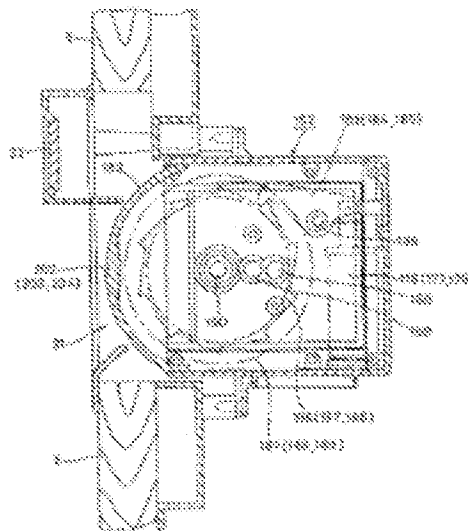


Figure 21



FF4. As illustrated above, Figures 20 and 21 disclose three windows 202, 203, 204 for displaying patterns disposed on rotary drums 187, 188, 189. Portions other than windows 202, 203, 204 are either sealed or shaded in such a way that patterns, etc. of respective rotary drums 187, 188, 189

positioned at said portions will be totally or virtually invisible to the outside (paras. [0005], [0057], [0058]).

### ANALYSIS

We are persuaded the Examiner erred in asserting that Ugawa renders obvious independent claim 17 (App. Br. 6-10). Independent claim 17 recites

a display window for viewing symbols on the reels along each of at least two straight lines when the reels are stopped, wherein alignments on at least one of the lines of any of specific combinations of the symbols provide a winning state for the player and all other combinations of the symbols on the straight lines do not provide a winning state for the player.

The Examiner asserts that Ugawa discloses “a display window for viewing symbols of at least two parallel lines to the common axis when stopped (see figure 19)” (Exam’r’s Ans. 4). However, Figure 19 displays drum-shaped variable display component 151 *without storage box 152 and windows 202, 203, 204* (FF1, FF2). Instead, windows 202, 203, 204 appear to be designed to only display one pattern each, which would only constitute one straight line, and not two as recited in independent claim 17 (FF3, FF4). As shown in Figure 20, the teeth between ratchet gears 196 only have one pattern disposed between them, and Figures 20 and 21 show that windows 202, 203, 204 only have space to display what is disposed between two adjacent teeth of ratchet gear 196. Accordingly, because the Examiner has not met the initial burden of establishing a prima facie case of how windows 202, 203, 204 of Ugawa render obvious “a display window for viewing symbols on the reels along each of at least two straight lines when the reels are stopped,” we cannot sustain this rejection. *See In re Oetiker*, 977 F.2d 1443, 1445 (Fed. Cir. 1992).

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Application 09/208,696

Claims 18-32 depend from independent claim 17, and thus we also do not sustain their rejections.

DECISION

The rejection of claims 17-32 is REVERSED.

REVERSED

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